



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MUJWID ET AL. Examiner: UNKNOWN
Serial No.: 10/685,767 Group Art Unit: 3738
Filed: OCTOBER 14, 2003 Docket: 6683.69USU1
Confirmation No.: 6331
Title: EXPANDABLE INTERVERTEBRAL IMPLANT CAGE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 5, 2004.

By: 

Name: Mary E. Nicholson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PATENT TRADEMARK OFFICE

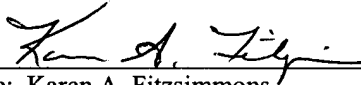
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Karen A. Fitzsimmons
Reg. No.: 50,470
KFitzsimmons:PLStov



10/685,767

PATENT

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|-------------|--|-----------------|-------------|
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Name: _____

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2)(i), a copy of the U.S. patents and U.S. patent publications listed on the enclosed Form 1449 are not provided, as this application was filed after June 30, 2003.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.


Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: May 4, 2004

Karen A. Fitzsimmons
Karen A. Fitzsimmons
Reg. No. 50,470
KAF:PLStov



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|--|---|---------------------|
|  | INFORMATION DISCLOSURE STATEMENT | |
| | IN AN APPLICATION | |
| | (Use several sheets if necessary) | |
| Docket Number: | 6683.69USU1 | Application Number: |
| Applicant: MUJWID ET AL. | | 10/685,767 |
| Filing Date: 10/14/2003 | Group Art Unit: 3738 | |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|--------------|------------|-------------------|-------|----------|----------------------------|
| | 4,309,777 | 01/12/1982 | Patil | | | |
| | 5,026,373 | 06/25/1991 | Ray et al. | | | |
| | 5,505,732 | 04/1996 | Michelson | | | |
| | 5,605,458 | 02/25/1997 | Bailey et al. | | | |
| | 5,653,762 | 08/05/1997 | Pisharodi | | | |
| | 5,665,122 | 09/09/1997 | Kambin | | | |
| | 5,683,463 | 11/04/1997 | Godefroy et al. | | | |
| | 5,865,848 | 02/02/1999 | Baker | | | |
| | 5,876,457 | 03/02/1999 | Picha et al. | | | |
| | 5,888,228 | 03/30/1999 | Knotche et al. | | | |
| | 5,980,522 | 11/09/1999 | Koros et al. | | | |
| | 6,045,579 | 04/04/2000 | Hochshuler et al. | | | |
| | 6,159,244 | 12/12/2000 | Suddaby | | | |
| | 6,174,334 B1 | 01/16/2001 | Suddaby | | | |
| | 6,176,881 B1 | 01/23/2001 | Schär et al. | | | |
| | 6,183,517 B1 | 02/06/2001 | Suddaby | | | |
| | 6,190,414 B1 | 02/20/2001 | Young et al. | | | |
| | 6,332,895 B1 | 12/25/2001 | Suddaby | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | | |

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PATENT TRADEMARK OFFICE

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.